United St	TATES DISTR	ICT COU	RT
WESTERN	District of		PENNSYLVANIA
UNITED STATES OF AMERICA V.	JUDGMI	ENT IN A CR	IMINAL CASE
LUIS VALDIVIA	Case Num	ber: 2:07-cr-0	0234-003
	USM Num	ber: #09487-0	068
		ONOHUE, ESC).
THE DEFENDANT:	Defendant's A	itorney	
pleaded guilty to count(s) 2			
pleaded nolo contendere to count(s) which was accepted by the court.			
was found guilty on count(s) after a plea of not guilty.			
The defendant is adjudicated guilty of these offenses:			
Title & Section Nature of Offense 8 U.S.C. 1326 Re-entry of an Illegal A The defendant is sentenced as provided in pages 2		of this judgmen	Offense Ended Count 6/6/2007 2 t. The sentence is imposed pursuant to
the Sentencing Reform Act of 1984.	tinough	or this judgmen	i. The sentence is imposed pursuant to
☐ The defendant has been found not guilty on count(s)			
Count(s) [] is	are dismissed	on the motion of	the United States.
It is ordered that the defendant must notify the Un or mailing address until all fines, restitution, costs, and spec the defendant must notify the court and United States attor	cial assessments imposed	by this judgment	are fully paid. If ordered to pay restitution,
	11/30/200 Date of Junposi	tion of Judgment	cart
	Gary L. La		U.S. District Judge Title of Judge
	_11/	30/07	

Sheet 2 — Imprisonment

Judgment -- Page

DEFENDANT: LUIS VALDIVIA CASE NUMBER: 2:07-cr-00234-003

IMPRISONMENT

The	defendant is hereby	committed to the cus	stody of the United	States Bureau of	Prisons to be impri	soned for a
total term o	f:					

TIME SERVED, WITH NO SUPERVISED RELEASE TO FOLLOW. The court makes the following recommendations to the Bureau of Prisons: The defendant is remanded to the custody of the United States Marshal. The defendant shall surrender to the United States Marshal for this district: _____ a.m. □ p.m. as notified by the United States Marshal. The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons: before 2 p.m. on as notified by the United States Marshal. as notified by the Probation or Pretrial Services Office. RETURN I have executed this judgment as follows: Defendant delivered on _____, w ith a certified copy of this judgment. UNITED STATES MARSHAL DEPUTY UNITED STATES MARSHAL

AO 245B	(Rev. 06/05) Judgment in a Criminal Case
	Sheet 5 — Criminal Monetary Penalties

	_		
Judgment — Page	3	of	8

DEFENDANT: LUIS VALDIVIA CASE NUMBER: 2:07-cr-00234-003

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

то	TALS	\$	<u>Assess</u> 100.00					_	<u>ine</u> .00			\$	Restitu 0.00	tion			
			ation of r ermination		n is defe	erred unt	il	. An	Amende	d Judgm	ient in a	Crimi	nal Cas	e (AO 2	245C) w	vill be en	itered
	The de	efendan	t must m	ake resti	tution (i	including	g communi	ty resi	titution) t	o the fol	lowing p	ayees ii	n the am	ount lis	ted belo	w.	
	If the of the pri	defenda iority or the Un	nt makes der or pe ited State	a partia ercentag es is paid	l payme e payme l.	ent, each ent colun	payee shal nn below.	l recei Howe	ve an app ever, purs	oroximat uant to 1	ely propo 18 U.S.C	ortioned . § 3664	l paymer l(i), all r	nt, unle nonfede	ss specif ral victi	ied other ms must b	wise in be paid
<u>Nar</u>	ne of P	a <u>vee</u>							Total Lo	oss*	Restit	tution (Ordered	Prio	rity or]	Percentag	<u>e</u>
<u>;</u> ,						day v						34	in Alle				1
	14 11 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1											/*///					
- 1						in that											
								i e									A.
ing .		ST COMES TO SERVE	The second														X#51
TO	TALS			\$			0.00	-	\$			0.00					
	Restit	tution ar	mount or	dered pu	ırsuant t	to plea ag	greement	\$ <u></u>									
	fiftee	nth day	after the	date of	the judg	ment, pu	and a fine arsuant to 1 ant to 18 U	8 U.S	.C. § 361	2(f). Al							
	The c	ourt det	ermined	that the	defenda	int does i	not have th	e abil	ity to pay	interest	and it is	ordered	d that:				
	☐ tl	he intere	est requi	rement is	waived	d for the	☐ fin	e [restitu	tion.							
	☐ tl	he intere	est requi	rement f	or the	☐ fi	ne 🗌	restitu	tion is m	odified a	s follow	s:					

^{*} Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

AO 245B

DEFENDANT: LUIS VALDIVIA CASE NUMBER: 2:07-cr-00234-003

SCHEDULE OF PAYMENTS

Judgment - Page

8

Hav	ing a	ssessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:
A	\checkmark	Lump sum payment of \$ 100.00 due immediately, balance due
		not later than , or in accordance C, D, E, or F below; or
В		Payment to begin immediately (may be combined with $\Box C$, $\Box D$, or $\Box F$ below); or
C		Payment in equal (e.g., weekly, monthly, quarterly) installments of \$ over a period of (e.g., months or years), to commence (e.g., 30 or 60 days) after the date of this judgment; or
D		Payment in equal (e.g., weekly, monthly, quarterly) installments of \$ over a period of (e.g., months or years), to commence (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
E		Payment during the term of supervised release will commence within (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
F		Special instructions regarding the payment of criminal monetary penalties:
		e court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during ment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financia bility Program, are made to the clerk of the court. Indant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.
	Join	t and Several
		endant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, corresponding payee, if appropriate.
	The	defendant shall pay the cost of prosecution.
	The	defendant shall pay the following court cost(s):
	The	defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.